

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

RUTH SMITH, Individually and as Widow for the)
Use and Benefit of Herself and the Next Kin of)
Richard Smith, Deceased,)
)
Plaintiff,) Civil No. 3:05-0444
) Judge Aleta A. Trauger
v.) (Dist. Of MA No.
) 1:05-cv-11515PBS)
PFIZER, INC., *et al.*,)
)
Defendants.)

**DECLARATION OF MARK S. CHEFFO IN SUPPORT OF
DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION *IN
LIMINE* TO STRIKE THE DEPOSITION TESTIMONY AND AFFIDAVIT
OF CYNTHIA MCCORMICK AND TO PRECLUDE DEFENDANTS
FROM UTILIZING THE DEPOSITION OF CHARLES TAYLOR AT TRIAL**

I, Mark S. Cheffo, declare and state as follows:

1. I am a partner with the law firm of Skadden, Arps, Slate, Meagher & Flom LLP, counsel for Defendants Pfizer Inc and Warner-Lambert Company LLC. I make this declaration based on my own personal knowledge and information.
2. Attached as Exhibit A is a true and correct copy of excerpts from the transcript of the deposition of Cynthia McCormick, M.D., dated February 14, 2008.
3. Attached as Exhibit B is a true and correct copy of excerpts of the transcript from the Final Pretrial Conference and Daubert Hearing in *Bulger v. Pfizer Inc.*, 1:04-10981-PBS, which was held on July 21, 2009.
4. Attached as Exhibit C is a true and correct copy of excerpts from the trial transcript in *Shearer v. Pfizer Inc.*, 1:07-11428-WGY, which was held on March 31, 2010.
5. Attached as Exhibit D is a true and correct copy excerpts from the transcript of the deposition of Charles Taylor, Ph.D., dated August 27, 2009.

Signed under the penalties of perjury this 27th day of April 2010.


Mark S. Cheffo

CERTIFICATE OF SERVICE

I hereby certify that on this the 27th day of April 2010, I electronically filed the foregoing document with the Clerk of the Court, United States District Court for the Middle District of Tennessee, using the CM/ECF system. True and correct copies of the foregoing documents are being served via the Court's CM/ECF system on the following:

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